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2 Federal Defender

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4 Assistant Federal Defender  
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9 Seeking Appointment as Attorney for Defendant  
10 ALEJANDRO MATHEW FRAGOSO

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA, ) NO. CR S 02-189 WBS  
14 v. )  
15 ALEJANDRO MATHEW FRAGOSO, ) REQUEST FOR STATUS CONFERENCE;  
16 Plaintiff, ) [Redacted] ORDER  
17 Defendant. ) Date: Monday, November 24, 2008  
18 ) Time: 8:30 a.m.  
19 ) Courtroom: 5  
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18 Defendant, ALEJANDRO MATHEW FRAGOSO, by and through Assistant Federal Defender  
19 Jeffrey L. Staniels, who is seeking appointment as counsel to represent Mr. Fragoso, hereby requests the court  
20 schedule a status conference on the pro se motion to vacate sentence pursuant to 28 U.S.C. § 2255 filed on  
21 November 19, 2008.

22 On December 20, 2006, Mr. Fragoso was sentenced by the Honorable Frank C. Damrell, Jr. to a  
23 term of 24 months imprisonment following the revocation of his supervised release. The Section 2255  
24 motion alleges that Mr. Fragoso was told by his attorney that when he was to be sentenced in state court,  
25 the state sentence would run concurrently with the sentence already imposed by this Court. The motion  
26 also asserts that counsel was ineffective because she did not ascertain whether Mr. Fragoso was in  
27 primary federal custody.

28 Mr. Fragoso is currently in custody at the Sacramento County Jail awaiting transportation to a

1 federal facility, and he requests this status conference on an expedited basis so that he can be present with  
2 appointed counsel.

3 Dated: November 19, 2008

4 Respectfully submitted,

5 DANIEL J. BRODERICK  
6 Federal Defender

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8 */s/ Jeffrey L. Staniels* \_\_\_\_\_  
9 JEFFREY L. STANIELS  
Assistant Federal Defender

10 Seeking Appointment as Attorney for Defendant  
11 ALEJANDRO MATHEW FRAGOSO

12 **O R D E R**

13 Pursuant to defendant's request, and good cause appearing therefor, the above-entitled matter is set  
14 for status conference on Monday, November 24, 2008, at 8:30 A.M., in Courtroom 5 before Hon. William  
15 B. Shubb.

16 IT IS SO ORDERED.

17 Dated: November 20, 2008

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19 WILLIAM B. SHUBB  
20 UNITED STATES DISTRICT JUDGE  
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